

**Item No 01:-**

**19/02819/FUL**

**Little Acre  
Hartley Lane  
Seven Springs  
Gloucestershire  
GL53 9NF**

## Item No 01:-

### Construction of an additional single-storey dayroom store building at Little Acre Hartley Lane Seven Springs Gloucestershire GL53 9NF

<b>Full Application 19/02819/FUL</b>	
Applicant:	Mr John Norris
Agent:	Michael Hargreaves Planning
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Julia Judd
Committee Date:	12th February 2020
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

#### **Main Issues:**

- (a) Principle of Development
- (b) Design and Impact on Character and Appearance of the Cotswold Area of Outstanding Natural Beauty
- (c) Impact on Residential Amenity

#### **Reasons for Referral:**

The application is referred to the Planning and Licensing Committee by the Ward Member, Councillor Julia Judd, for the following reasons:-

'The application site is in the open countryside along a narrow lane. The traveller's site is incongruous to its situation; it is a mini-urbanised development and is densely built-up, adjacent to another densely built-up traveller's site. Neighbouring, established properties are very sparsely situated along the lane and differ considerably in character. The further impact upon the character and appearance of the Cotswolds AONB landscape in terms of design, appearance, layout, landscape and scale with reference to Local plan policies EN2, EN4 and EN5 and Paragraph 170 and 172 of the NPPF should be examined further.

Furthermore, it should be recognised that the applicant and his extended family are struggling to live within the inadequate and confined conditions which permissions allow. We need to ask ourselves: will a day room alleviate the pressure? Or will this application further enable household crowding of a vulnerable family in the Cotswolds?'

Officers are also minded to refer the application to Committee due to the complex site history and to allow the proposal to be debated in public.

#### **1. Site Description:**

The application site comprises an area of land on the eastern side of Hartley Lane, north of the roundabout junction with the A435 Cirencester Road, which has been developed as a Gypsy/Traveller site containing two pitches. The current application relates to the southern pitch which is currently occupied by two of the three approved caravans and a day room, all of which are located along the southern and western boundaries of the site.

The site is located within the Cotswolds Area of Outstanding Natural Beauty and is bounded to the west by Hartley Lane and to the east by a tree belt, beyond which is the A435 Cirencester/Cheltenham road.

## **2. Relevant Planning History:**

12/03218/FUL: Erection of stables and construction of hardstanding. Refused 9.10.2012.

12/00459/FUL: Erection of stable building and associated hardstanding in field directly to south of application site. Granted 11.5.2012.

12/04857/FUL: Formation of residential caravan site for one gypsy family with two caravans, including one static caravan/mobile home on existing equestrian site to create mixed use site. Refused 18.12.2012. Appeals A, B and C dismissed; Appeal D allowed 07.08.2013

14/00303/FUL: Erection of stables and construction of hardstanding. Refused 18.3.2014.

14/02614/FUL: Change of use to mixed use for the keeping of horses and for Gypsy and Traveller residential purposes, together with the development of a stable building and the relocation of the existing stable building. Granted 11.12.2014.

15/02733/FUL: Variation of conditions 2, 7 and 10 of planning permission 14/02614/FUL to revise the site plan, layout, foul drainage, landscaping and external lighting. Withdrawn 10.9.2015.

15/04432/FUL: Change of use to mix use for the keeping of horses and for Gypsy and Traveller residential purposes, together with the development of a stable building and the relocation of the existing stable building. Granted 09.03.2016.

17/03352/FUL: Removal of Conditions 1 (temporary use and occupancy) and 3 (restoration of site) of planning permission 15/04432/FUL to allow permanent retention of the site. Granted 19.12.2017 for temporary period of 1 year.

18/02694/FUL: Variation of Conditions 1 (temporary use and occupancy) and 2 (restoration of site) of planning permission 17/03352/FUL to allow permanent retention of the site for the duration of use by current occupants. Granted 12.10.2018.

## **3. Planning Policies:**

NPPF National Planning Policy Framework  
DS1 Development Strategy  
DS4 Open Market Housing o/s Principal/non-Pr  
H7 Gypsy & Traveller Site  
EN2 Design of Built & Natural Environment  
EN4 The Wider Natural & Historic Landscape  
EN5 Cotswolds AONB  
INF4 Highway Safety

## **4. Observations of Consultees:**

Landscape Officer: No objection subject to conditions, comments incorporated into the report

## **5. View of Town/Parish Council:**

Coberley Parish Council have objected to the application for the following reasons:

- i) Harm to the Cotswolds Area of Outstanding Natural Beauty
- ii) Lack of need identified in the area
- iii) Domination of the nearest settled community

## **6. Other Representations:**

None received

## **7. Applicant's Supporting Information:**

Design and Access Statement  
Proposed Plans

## **8. Officer's Assessment**

### **(a) Principle of the Development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031. The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

The application proposes the erection of a single storey day room along the western boundary of the existing plot. The building will have a total footprint of 12.9m x 7.2m however will occupy an L-shaped footprint with a section of the building set at a lower level owing to the sloping ground levels. The structure will be finished in timber boarding with a corrugated or steel standing seam roof.

Local Plan Policy H7 addresses Gypsy and Traveller Sites, with the Policy stating that existing authorised sites will be safeguarded provided there remains a need, whilst Part 2 of the Policy identifies locations for the accommodation of future needs. Part 3 outlines the approach to determine the acceptability, in principle, of planning applications for traveller development.

The application site consists of an established Gypsy Traveller site situated between Hartley Lane and the A435. The site was granted temporary planning permission in December 2014 with later revision being submitted in 2015. Following this, in 2018, the conditions restricting the temporary use and requiring the restoration of the site were varied in order to allow the permanent retention of the site for the duration of the use by the current occupants.

The site is therefore an established Traveller site. The current application is for a dayroom in order to accommodate additional living space in the form of a kitchen, store room, sitting room and bathroom. New build residential development would not be supported in this location as the site is outside of both a principal and non-principal settlement as defined by the Cotswold District Local Plan. However, the building would not be used to accommodate additional occupants and does not constitute an additional pitch on the site.

There are currently 5 adults and 3 children at the site, and additional facilities are required over and above those already provided. Therefore, the development will not result in an increase in residential accommodation on the site and moreover, will not lead to the existing site dominating any adjacent settled sites. Overall the principle of an additional dayroom at the site is considered to be acceptable, owing to its established nature. The development is however subject to design and landscape considerations.

### **(b) Design and Impact on Character and Appearance of the Cotswold Area of Outstanding Natural Beauty**

Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in. Paragraph 127 states decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the

lifetime of the development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place.

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN5 relates specifically to the Cotswold AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

Section 15 of the NPPF seeks to conserve and enhance the natural environment. More specifically Paragraph 172 states Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (amongst other sensitive areas), which have the highest status of protection in relation to these issues.

The additional building will sit adjacent to the western boundary, closest to the highway and within close proximity to the existing touring caravans. This will avoid further encroachment into the open countryside and will contain the built form of the site to a single area. The design results in a simple agricultural style building which is considered appropriate owing to the rural location and sensitive landscape setting. The use of timber boarding will result in a functional appearance that compliments the design style, with the minimal level of glazing also contributing to the rural, agricultural style, aesthetic.

The structure is considered to be modest in terms of its scale and massing with limited visibility within the street scene owing to the substantial mature vegetation bounding the site. The Council's Landscape Officer has been consulted as part of the application and has raised no objections following amendments that have been made to the design. It is considered that the proposed addition will have no detrimental harm on the character and appearance of the Cotswolds Area of Outstanding Natural Beauty.

### **(c) Impact on Residential Amenity**

Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

The application site is located within a remote, rural location with no residential dwellings within close proximity. To the north and south are other Gypsy / Traveller pitches however there is considered to be an appropriate level of separation between the sites in order to minimise amenity impacts. The site is bordered to the south and west by substantial mature vegetation which will act as a screen for the development. There is not considered to be any detrimental impacts in terms of overbearing effect, loss of light or loss of privacy to neighbouring sites.

### **9. Conclusion:**

The proposal is considered to comply with Local Plan Policies and the NPPF, which are not outweighed by other material planning considerations.

The recommendation is for permission to be granted.

### **10. Proposed conditions:**

1. The development shall be started by 3 years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing numbers: JN03 V2; JN04 V2 and JN05 V2.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. Prior to the construction of any external wall of the development hereby approved, samples of the proposed roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

4. The timber boarding shall not be treated in any way and shall be left to weather and silver naturally and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN5.

5. No external lighting shall be installed on the exterior of the building hereby approved without the prior written approval of the Local Planning Authority.

**Reason:** To prevent light pollution in accordance in accordance with Cotswold District Local Plan Policies EN4, EN5 and EN15.

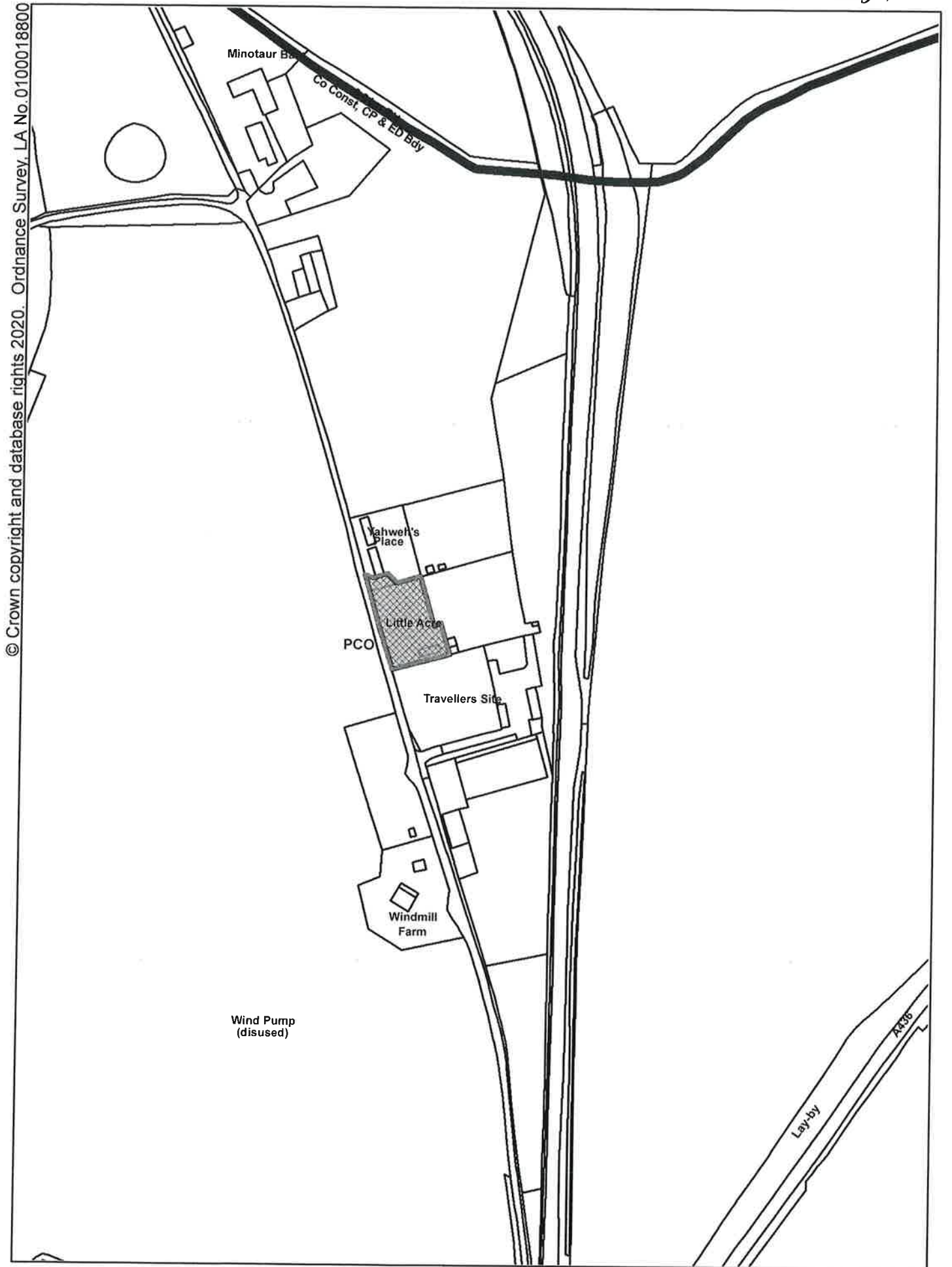
6. The development shall only be used for purposes ancillary to the current use of the site known as 'Little Acre' and shall not be used as a separate residential unit.

**Reason:** It is essential that the Local Planning Authority retains control over the use of the development. An additional separate unit of accommodation would not be permitted in this location in accordance with Cotswold District Local Plan Policy DS4.

**Informatives:**

Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.





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### LITTLE ACRE HARTLEY LANE SEVEN SPRINGS

Scale: 1:2500

Organisation: Cotswold District Council

Department:

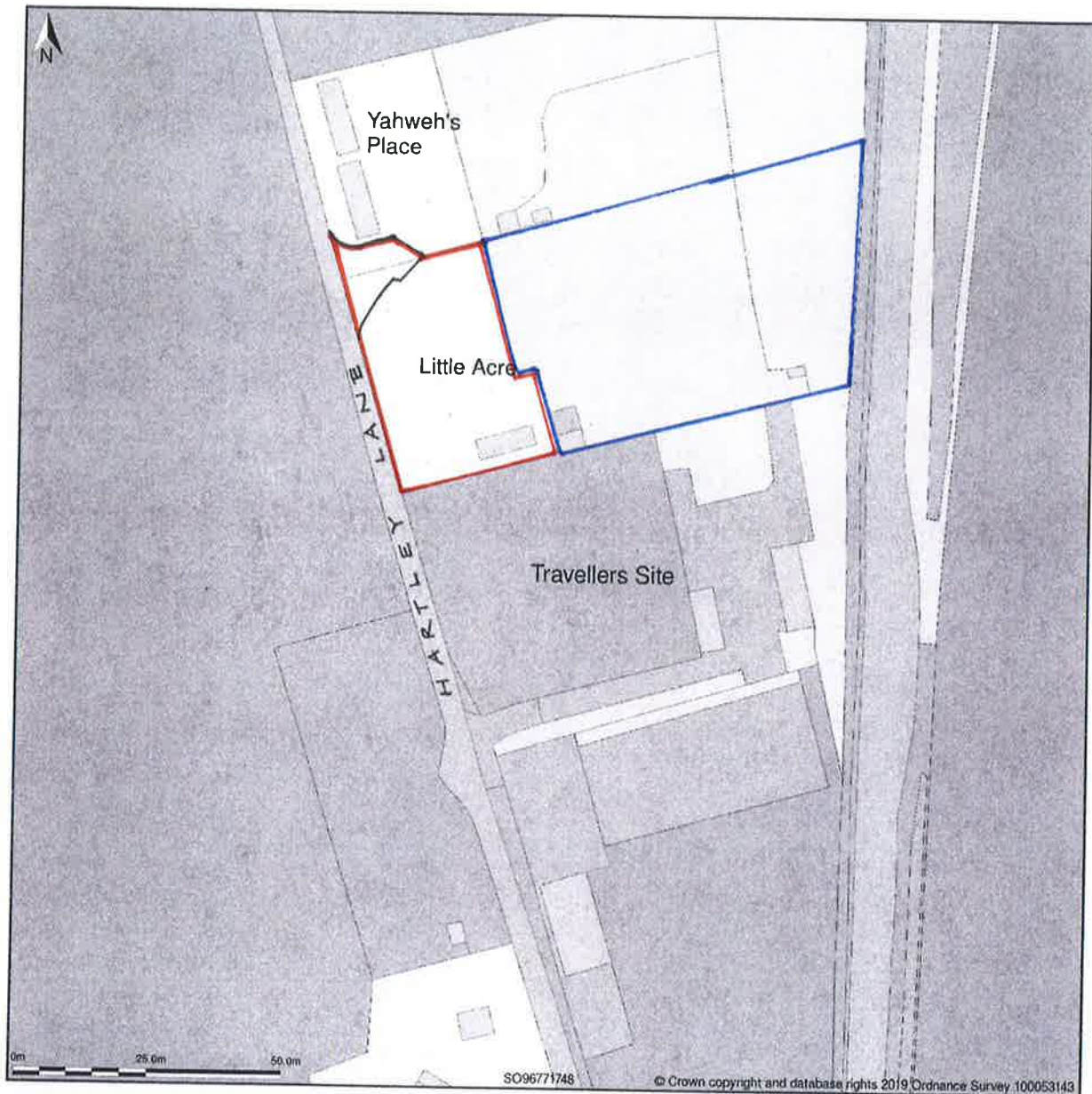
Date: 30/01/2020



**COTSWOLD**  
DISTRICT COUNCIL



Little Acre, Hartley Lane, Seven Springs, Gloucestershire, GL53 9NF



Site Plan shows area bounded by: 396675.0, 217386.33 396875.0, 217586.33 (at a scale of 1:1250), OSGridRef: SO96771748. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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**Drawing JN01, Little Acre, Proposed Dayroom and Store Building:  
Location Plan**

**Scale 1:1250 at A4**

**MICHAEL HARGREAVES PLANNING  
5 HIGH STREET SWAFFHAM PRIOR  
CAMBRIDGE CB25 0LD**





H A R T L E Y L A N E



KEY:

C TOURING CARAVAN

- + - + - + POST AND RAIL FENCE

⊘ GATE

▬▬▬ CLOSE BOARDED FENCE

▬▬▬ EXISTING HEDGE

● EXISTING TREE

Drawing JN02, Little Acre, Proposed Dayroom and Store Building: Block Plan showing position of new building within existing site  
 Scale 1:200at A3  
 Drawn by C J Tyler  
 MICHAEL HARGREAVES PLANNING  
 5 HIGH STREET SWAFFHAM PRIOR  
 CAMBRIDGE CB25 0LD

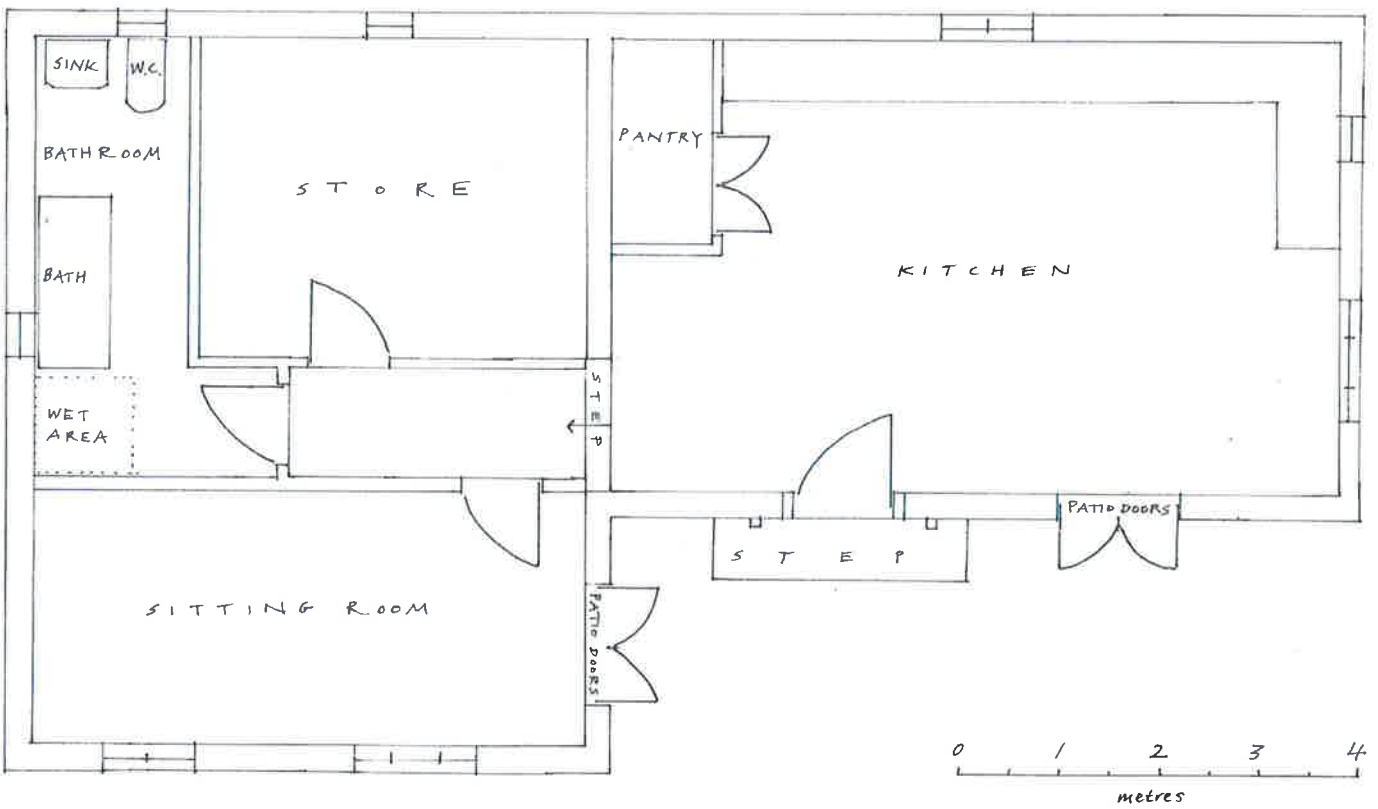
**Drawing JN03 V2, Little Acre, Proposed Dayroom and Store Building: Plan and Elevations**

Scale 1:50 at A3

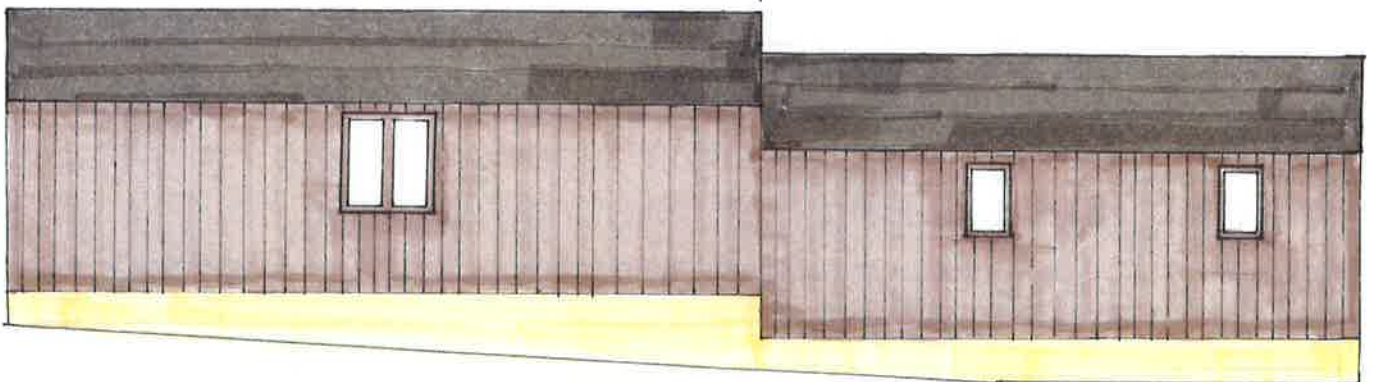
Drawn by C J Tyler  
MICHAEL HARGREAVES PLANNING  
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CAMBRIDGE CB25 0LD



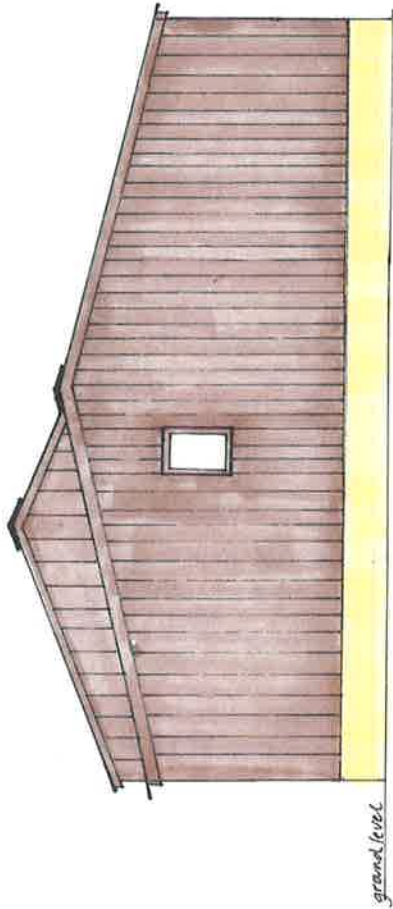
FRONT ELEVATION - EAST - SHOWING SITTING ROOM WINDOWS, ENTRANCE DOOR WITH EXTERIOR DOWNLIGHTS, PATIO DOORS.



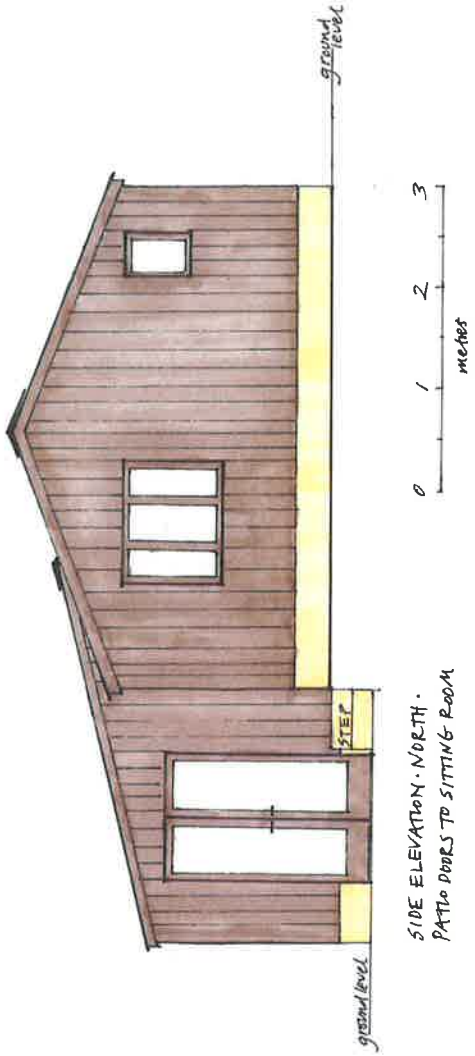
PLAN OF PROPOSED DAYROOM AND STORE BUILDING



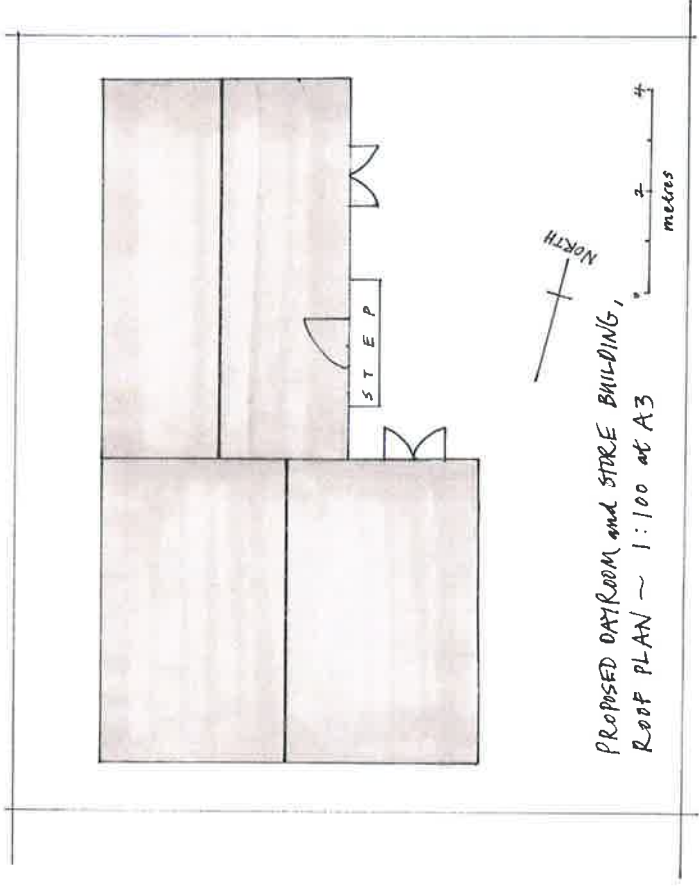
REAR ELEVATION - WEST - SHOWING KITCHEN REAR WINDOW, STORE WINDOW, BATHROOM WINDOW



SIDE ELEVATION - SOUTH - BATHROOM WINDOW



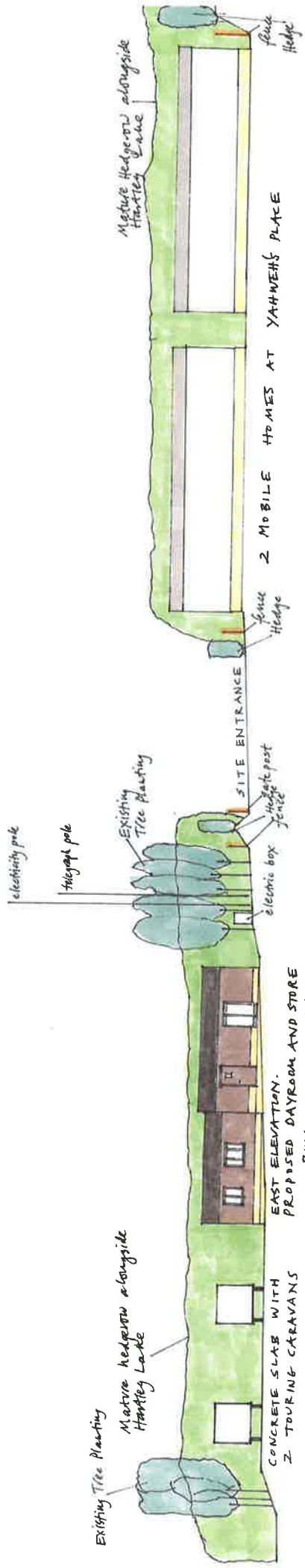
SIDE ELEVATION - NORTH - PATIO DOORS TO SITTING ROOM



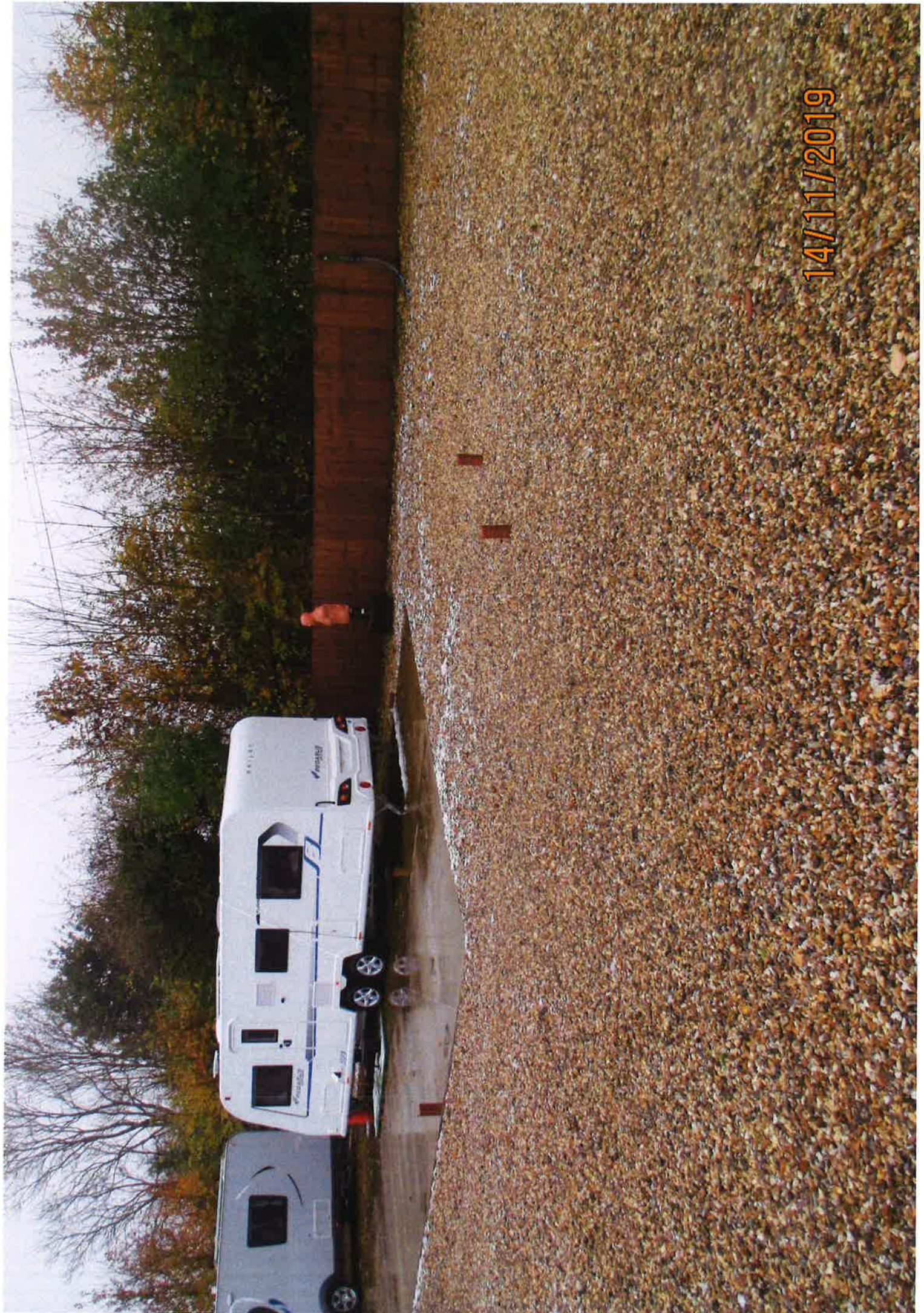
PROPOSED DAYROOM and STORE BUILDING, ROOF PLAN ~ 1:100 at A3

<p>Drawing JN04 V2, Little Acre, Proposed Dayroom and Store          Building - Elevations and Roof Plan          Scale - Elevations 1:50 at A3          Roof Plan 1:100 at A3          Drawn by C J Tyler          MICHAEL HARGREAVES PLANNING          5 HIGH STREET SWAFFHAM PRIOR          CAMBRIDGE CB25 0LD</p>
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**Drawing JN05 V2, Little Acre, Proposed Dayroom and Store**  
 Building: East Elevation in relation to existing site  
 Scale: 1:200 at A3  
 Drawn by C.J. Tyler  
 MICHAEL HARGREAVES PLANNING  
 5 HIGH STREET SWAFFHAM PRIOR  
 CAMBRIDGE CB25 0LD







14/11/2019





14/11/2019